STATE OF VERMONT
SUPERIOR COURT
CRIMINAL DIVISION
BENNINGTON UNIT

State of Vermont
v.
Justin-Ames Gamache

Docket No. **1127-10-13 Bncr**

MEMORANDUM OF OPPOSITION

Petitioner, Justin-Ames Gamache, appearing pro se, respectfully submits this Memorandum of Opposition and states plainly that he will not agree to anything beyond restorative justice dismissal of this case. This filing is not consent to predicate-offense treatment, not consent to treatment beyond restorative justice, and not consent to any rewriting of the record into something broader than the disposition actually preserved in the case history. Petitioner's position is that this matter was carried through a restorative path, successfully completed, later marked settled, and closed, and it should now be treated according to that completed restorative disposition rather than later punitive expansion (Gamache, 2026; State v. Gamache, Apr. 6, 2026).

I. Nature of this opposition

This memorandum opposes any treatment of this matter beyond restorative justice dismissal of the case. Petitioner expressly states that he will not agree to anything beyond restorative justice dismissal, and he rejects any continuing construction of the record that exceeds that disposition. Petitioner does not accept any predicate-offense characterization of the plea, any broader punitive theory imposed later, or any requirement that he agree to something beyond the restorative resolution preserved in the record (State v. Gamache, Apr. 6, 2026).

Petitioner's position is narrow and disciplined. He is not asking the Court to invent a new history. He is telling the Court to recognize the history already preserved in the file and to respect the only endpoint he will accept: restorative justice dismissal of the case.

II. The contemporaneous record preserved a restorative disposition that was completed

The filed motion in this matter states that the original record did not preserve a flat ordinary punitive sequence, but instead preserved a mixed record that included formal plea language and an integrated restorative disposition (State v. Gamache, Apr. 6, 2026). The same filing states that the contemporaneous record reflected a misdemeanor filing under 13 V.S.A. § 3002, an initial not-guilty plea, a later guilty plea with a plea agreement filed, sentencing to the Reparative Board pursuant to 13 V.S.A. § 7030(a)(2), successful completion of the reparative process, cancellation of the later status conference because the case was settled, and closure of the case (State v. Gamache, Apr. 6, 2026).

The dissertation filed in this matter likewise describes the contemporaneous record as preserving a sequence that included reparative-board sentencing, successful completion, settlement, and closure, and it states that the later predicate-style treatment appeared in later denials rather than as a designation expressly included in the original plea or reparative-board entries (Gamache, 2026). That distinction matters because the actual record contains restorative completion and finality language. Petitioner relies on that actual record.

III. Petitioner does not agree to anything beyond restorative justice dismissal

Petitioner expressly states that he will not agree to anything beyond restorative justice dismissal of the case. He does not accept any continuing punitive construction beyond restorative justice resolution. He does not accept any implication that the 2013 plea agreement included acceptance of a predicate offense. The filed motion already states that any statement, claim, or implication that the 2013 plea agreement included acceptance of a predicate offense is expressly rejected as contrary to the agreement (State v. Gamache, Apr. 6, 2026).

That point goes directly to scope. Petitioner's present position is that he does not consent to any treatment beyond restorative justice dismissal. He does not agree to expansion of the record through later labels. He does not agree to any disposition, characterization, or consequence beyond the restorative resolution completed in this case.

IV. Vermont law recognizes diversionary and restorative pathways as legally meaningful

Vermont law recognizes diversionary and restorative pathways as lawful and meaningful dispositions. Under **3 V.S.A. § 164**, adult diversion includes both pre-charge and post-charge structures. The significance of that statute here is not that Petitioner is restyling this filing into something else, but that Vermont law itself recognizes that diversionary completion carries finality-producing and record-altering consequences. In pre-charge diversion, the statute provides that after deletion "the matter shall be considered never to have occurred" (3 V.S.A. § 164). In post-charge diversion, the statute authorizes diversion for filed charges and provides expungement consequences after successful completion (3 V.S.A. § 164).

That matters because it confirms a basic Vermont-law principle: successful diversionary or restorative completion is not legally meaningless. Vermont does not treat restorative completion as mere decoration. The law assigns real consequences to successful completion of diversionary processes. Petitioner invokes that principle here because the record in this case preserves successful completion of a restorative process, later settlement, and closure (State v. Gamache, Apr. 6, 2026; Gamache, 2026). And the state still has not proven beyond a reasonable doubt that I made a call, but good luck on that one. No record or document actually proves I left the voice mail other than hearsay.

V. Reparative Board sentencing confirms the legal significance of the restorative path

The filed motion states that Petitioner was sentenced to the Reparative Board pursuant to **13 V.S.A. § 7030(a)(2)** (State v. Gamache, Apr. 6, 2026). That statute matters because it confirms that referral to a community reparative board is a recognized legal sentencing alternative under Vermont law. The

restorative path reflected in this case was therefore not informal, imaginary, or outside the law. It was preserved as part of the legal structure of the case.

Petitioner relies on that legal significance here. The case was cared for by restorative justice, completed through that path, and later marked settled and closed. Petitioner will not agree to anything beyond restorative justice dismissal of the case because that is the only endpoint consistent with the restorative disposition preserved in the record.

VI. Dismissal is supported by Vermont criminal procedure

Dismissal is also supported by Vermont criminal procedure. **Vermont Rule of Criminal Procedure 48** permits dismissal where the prosecution does not bring the defendant to trial within the required time frame and also where dismissal serves the ends of justice and the effective administration of the court's business. Petitioner invokes dismissal here because continued maintenance of this matter beyond restorative completion does not serve justice, finality, or orderly administration.

Petitioner further states these grounds and clarifications as part of this memorandum. A case dismissed **with prejudice** means the State cannot refile the same charges, effectively closing the matter permanently. Dismissal via diversion programs is a recognized outcome where an individual completes a diversion or restorative justice program successfully. Failure of prosecution, including failure to proceed within the required timeframe or inability to produce witnesses necessary to sustain the matter, is likewise a recognized basis for dismissal. Petitioner includes those points here because the matter before the Court is one that was already carried through restorative completion, later marked settled, and closed.

VII. Petitioner already won back access to the Court under Fox v. Fox

Petitioner already won back access to the Court to present relief in this matter. In its December 31, 2025 Decision on Motion, this Court expressly held that refusing to consider Petitioner's filings at all would be inconsistent with the Vermont Supreme Court's finding that Petitioner had not exhausted all forms of relief available in the superior courts. The Court further held that where Petitioner might present an argument for relief that could be granted by the criminal division, refusing to consider all motions in the case would amount to denying Petitioner his right of access to the courts, and the Court cited **Fox v. Fox, 2022 VT 27, ¶ 43, 216 Vt. 460**, in that access analysis (State v. Gamache, Apr. 6, 2026).

That was a real procedural victory. Petitioner won back access to the Court to present a theory of relief here. The filed motion says that plainly: "I won back access to the Court to present a statutory theory of relief here" (State v. Gamache, Apr. 6, 2026). What remains is not whether access exists, because that was already won, but whether the Court will now recognize the only relief position Petitioner accepts: nothing beyond restorative justice dismissal of the case.

VIII. Petitioner opposes any predicate-offense characterization of this matter

Petitioner expressly opposes any predicate-offense characterization of this case. The filed motion states that the central legal difficulty is that later denials treated the offense as a "predicate offense" for

record-relief purposes even though that designation was not expressly preserved in the original plea and reparative-board entries (State v. Gamache, Apr. 6, 2026). The dissertation filed on the docket states the same basic point: the later predicate-offense theory appeared later, not as part of the original plea or reparative entries (Gamache, 2026).

Petitioner will not accept that later label as controlling. He will not agree to anything beyond restorative justice dismissal of the case, and he does not accept any later punitive expansion of the record through a predicate-offense theory he rejects.

IX. The bundle-of-rights principle supports separate treatment of distinct legal incidents

Legal rights are not indivisible but are composed of severable interests within a broader bundle of rights (Johnson, 2007). That principle matters here because one later characterization cannot lawfully swallow the distinct legal incidents preserved by the record. Restorative referral, successful completion, settlement, closure, and dismissal are not erased simply because later rulings used a narrower label. Those legal incidents must be separately respected.

Petitioner therefore opposes any attempt to use a later shorthand characterization to extinguish every contrary restorative feature of the case. The rights and legal incidents here are not monolithic. They must be read according to the actual record.

X. This matter was fully resolved and should be treated as finally closed

Petitioner's position is that this matter was fully resolved. The filed motion states that the reparative-board process was successfully completed, the matter was marked settled, and the case was closed in 2014 (State v. Gamache, Apr. 6, 2026). The dissertation filed in the docket likewise describes the record as preserving successful completion, settlement, and closure (Gamache, 2026).

Those are words of completion and finality. Petitioner therefore requests that the Court treat the matter according to that finality. He will not agree to anything beyond restorative justice dismissal of the case.

XI. Relief requested

For the foregoing reasons, Petitioner respectfully requests that the Court recognize and adopt the following:

1. Petitioner already won back access to the Court under the Court's December 31, 2025 access ruling and the access-to-courts principle recognized through **Fox v. Fox** (State v. Gamache, Apr. 6, 2026).
2. Petitioner does not agree to anything beyond restorative justice dismissal of this case.
3. Petitioner does not accept any predicate-offense characterization of the plea or the case.
4. The contemporaneous record preserves restorative referral, successful completion, settlement, and closure (State v. Gamache, Apr. 6, 2026; Gamache, 2026).
5. The proper endpoint of this matter is dismissal consistent with the completed restorative disposition.
6. The court cannot refuse dismissal because of the restorative justice.

Conclusion

Petitioner already won back access to the Court under the Court's own access ruling and the access-to-courts principle recognized through **Fox v. Fox** (State v. Gamache, Apr. 6, 2026). This matter was carried through restorative justice, successfully completed, later marked settled, and closed, and Petitioner will not agree to anything beyond restorative justice dismissal of the case (State v. Gamache, Apr. 6, 2026; Gamache, 2026). Vermont law recognizes diversionary and reparative paths as legally meaningful, and Vermont criminal procedure recognizes dismissal where justice and orderly administration require it (3 V.S.A. § 164; 13 V.S.A. § 7030(a)(2); V.R.Cr.P. 48). Petitioner therefore respectfully opposes any treatment of this matter beyond restorative justice dismissal and requests dismissal accordingly. I DID NOT IMPERSONATE A POLICE OFFICER IN 2013. I AM DISMISS THIS MATTER.

Respectfully submitted,

/s/ **Justin-Ames Gamache**
Justin-Ames Gamache, Pro Se

References

Gamache, J.-A. (2026). *What was the plea? A qualitative narrative inquiry into a Vermont restorative justice disposition*. Legal dissertation filed in Docket No. 1127-10-13 Bncr. DOI: 10.13140/RG.2.2.33353.92008

Johnson, D. R. (2007). Reflections on the bundle of rights. *Vermont Law Review, 32*, 247.

State v. Gamache, No. 1127-10-13 Bncr, *Motion to Seal Criminal History Record and Request for Decision on the Written Record Because This Decision Does Not Get a Second Hearing* (Vt. Super. Ct. Crim. Div. Bennington Unit Apr. 6, 2026).

3 V.S.A. § 164.

13 V.S.A. § 7030(a)(2).

Fox v. Fox, 2022 VT 27, 216 Vt. 460.

Vermont Rule of Criminal Procedure 48.

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Memorandum of Opposition and exhibits** was served by electronic mail on this 8th day of April 2026, upon the following:

Bennington Unit
BenningtonUnit@vtcourts.gov

Erica Marthage
erica.marthage@vermont.gov

Sean Dillon
sean.dillon@vermont.gov

Vermont Attorney General's Office
ago.info@vermont.gov

SEE EXHIBITS

Respectfully submitted,

/s/ **Justin-Ames Gamache**
Justin-Ames Gamache, Pro Se
psychologist.gamache@gmail.com

Exhibit C

VERMONT SUPERIOR COURT
Bennington Unit
207 South St
Bennington VT 05201
802-447-2700
www.vermontjudiciary.org

CIVIL DIVISION
Case No. 22-ST-00891

Lauren Ronan v. Justin Gamache

Plaintiff	DOB	Defendant	DOB
Lauren A Ronan	07/25/1988	Justin A Gamache	

FINAL JUDGMENT DENYING NO-STALKING ORDER

The court held a hearing on Plaintiff's request for a no-stalking order against Defendant. Based upon the evidence presented and for reasons set forth in a separate written opinion of today's date, the court concluded that Plaintiff failed to prove her claim. Therefore, the court hereby vacates any temporary order it previously issued, enters judgment for Defendant, and closes the case.

Electronically Signed 9/7/2022 8:38 AM pursuant to V.R.E.F. 9(d)

John W. Valente
Superior Court Judge

VERMONT SUPERIOR COURT
Bennington Unit
200 Veterans Memorial Drive
Bennington, VT 05201
802-447-2727
www.vermontjudiciary.org

CRIMINAL DIVISION
Case No. [redacted]

State vs. Gamache, Justin	DOB: 1[redacted]

ORDER OF EXPUNGEMENT

I hereby order that the criminal history record(s) related to the following offense(s) has/have been EXPUNGED pursuant to 13 V.S.A Chapter 230:

Incident Number: [redacted] **Arresting Agency:** [redacted]

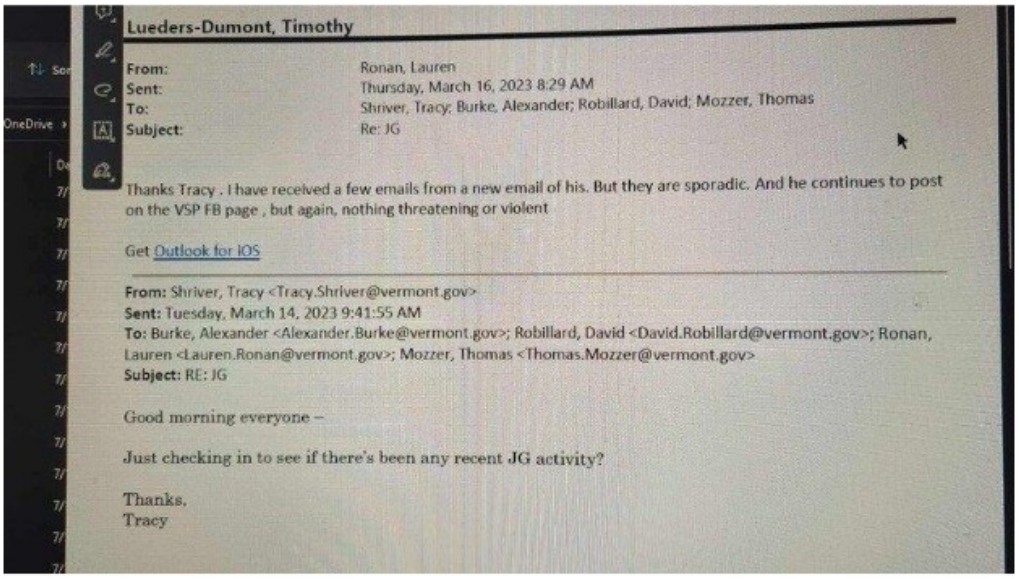
Description of Offense	Charge Number	Statute
DISORDERLY CONDUCT-FIGHT ETC	1	13 VSA 1026(a)(1)

The effect of this order is to expunge any records of arrest, conviction and sentence. The defendant shall be treated in all respects as if he or she had never been arrested, convicted or sentenced for the offense(s).

7/5/2022

(JUDGE)

Exhibit A



Lueders-Dumont, Timothy

From: Ronan, Lauren
Sent: Thursday, March 16, 2023 8:29 AM
To: Shriver, Tracy; Burke, Alexander; Robillard, David; Mozzer, Thomas
Subject: Re: JG

Thanks Tracy . I have received a few emails from a new email of his. But they are sporadic. And he continues to post on the VSP FB page , but again, nothing threatening or violent

Get Outlook for iOS

From: Shriver, Tracy <Tracy.Shriver@vermont.gov>
Sent: Tuesday, March 14, 2023 9:41:55 AM
To: Burke, Alexander <Alexander.Burke@vermont.gov>; Robillard, David <David.Robillard@vermont.gov>; Ronan, Lauren <Lauren.Ronan@vermont.gov>; Mozzer, Thomas <Thomas.Mozzer@vermont.gov>
Subject: RE: JG

Good morning everyone –

Just checking in to see if there's been any recent JG activity?

Thanks,
Tracy